

FISCAL NOTE

Bill #: SB0275 **Title:** Revise laws on collection of judgments and fines
Primary Sponsor: Laible, R **Status:** As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
Expenditures:		
General Fund	\$0	\$0
Revenue:		
General Fund	\$0	\$0
Net Impact on General Fund Balance:	\$0	\$0

<input checked="" type="checkbox"/> Significant Local Gov. Impact	<input type="checkbox"/> Technical Concerns
<input type="checkbox"/> Included in the Executive Budget	<input type="checkbox"/> Significant Long-Term Impacts
<input type="checkbox"/> Dedicated Revenue Form Attached	<input type="checkbox"/> Needs to be included in HB 2

Fiscal Analysis

ASSUMPTIONS:

1. Section 27-1-717, MCA, affects civil liability for issuing bad checks, etc., and has no fiscal impact on the Judicial Branch.
2. Section 53-2-607, MCA, allows for public assistance payments to be used to pay an execution, levy, attachment, garnishment or other legal process of a person or entity that is receiving the money. This may have a positive fiscal impact to the general fund due to collections under 3-10-601, MCA, but it is estimated that this impact would be minimal.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

This legislation allows the justice and lower courts to add collection fees to the judgment amounts. This will allow the counties to recoup the costs of collection. This legislation also increases the time period for liens to expire from six to 10 years. This function is handled by Clerks of Court and could impact workloads, record retention, etc. Section 25-30-102, MCA, impacts the fees that a municipal court may assess; they may add collection fees to the judgments. These changes could affect the amounts of fees and fines collected by municipal courts.